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**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ritcher et al.

Group Art Unit: 1644

**Serial No. 10/619,520**

Examiner: Haddad, Maher M.

Filed: July 14, 2003

Docket No.: 1328/2/2

Confirmation No.: 8231

For: AGENT FOR TREATMENT AND/OR PROPHYLAXIS OF  
MICROCIRCULATORY DISORDERS

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**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Restriction/Election Requirement dated November 8, 2005, having a 1-month term for Response that will expire on December 8, 2005. Favorable consideration is respectfully requested in view of the following Election and Remarks.

**RESTRICTION PRESENTED**

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	2-4, 8-12, 16, and 17	A method for <i>in vitro</i> treatment and/or prophylaxis of microcirculatory disorders and/or for influencing rheology of a mammal using a <u>peptide</u> ligand.
II	5, 7-12, 16, and 17	A method for <i>in vitro</i> treatment and/or prophylaxis of microcirculatory disorders and/or for influencing rheology of a mammal using an <u>antibody</u> ligand, wherein the antibody ligand is an <u>anti-fibrinogen</u> antibody.

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|-----|---------------------|---|
| III | 5, 7-12, 16, and 17 | A method for <i>in vitro</i> treatment and/or prophylaxis of microcirculatory disorders and/or for influencing rheology of a mammal using an <u>antibody</u> ligand, wherein the antibody ligand is an <u>anti-fibrin</u> antibody. |
| IV  | 13-15               | An adsorber column comprising a matrix and a ligand, wherein the ligand has specificity for fibrin.   |
| V   | 18                  | Pharmaceutical compositions containing a ligand for fibrinogen and/or fibrin, wherein the ligand is a peptide.  |
| VI  | 18                  | Pharmaceutical compositions containing a ligand for fibrinogen and/or fibrin, wherein the ligand is anti-fibrinogen antibodies.   |
| VII | 18                  | Pharmaceutical compositions containing a ligand for fibrinogen and/or fibrin, wherein the ligand is anti-fibrin antibodies.   |

#### APPLICANTS' ELECTION

Applicants hereby elect the invention of **Group IV, claims 13-15**, drawn to an adsorber column comprising a matrix and a ligand, wherein the ligand has specificity for fibrin, for prosecution at this time. Applicants further elect the following species: **Gly-Pro-Arg-Pro-X**.

#### REMARKS

Claims 1-18 are now pending in the subject U.S. patent application. Claims 1-18 as filed have been subjected to a Restriction/Election Requirement. Claims 1 and 6 are viewed as linking claims.

In response to the Restriction/Election Requirement, applicants have elected the claims of **Group IV, claims 13-15**, for prosecution at this time. Applicants further elect the peptide species **Gly-Pro-Arg-Pro-X**. Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

Applicants respectfully submit that claims 13-15 are believed to be readable on the elected Group and species. However, applicants further respectfully submit that claims 16 and 17 depend from claim 13, and thus applicants respectfully request rejoinder of claims 16 and 17 with claims 13-15.

Applicant's further note that claims 1-18 are directed at least in part to the removal of or the adsorption of fibrin and/or fibrinogen. Hence, it is believed these